



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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7/13/01
PATENT
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Applicant: Zheng et al. Examiner: Brown
Serial No.: 09/437,006 Group Art Unit: 1765
Filed: November 9, 1999 Docket No.: VLSI.268PA
Title: ETCH PROCESS THAT RESISTS NOTCHING AT ELECTRODE
BOTTOM

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 2, 2001.

By: Willy S. Waltigney

ADVISORY ACTION RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Advisory Action dated June 20, 2001, please consider the following remarks.

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Advisory Action mailed on June 20, 2001 is improper and nonresponsive to the June 1, 2001 Office Action Response. The issuance of an Advisory Action is inappropriate until after a final rejection has been issued. A final rejection has not yet been issued in this case. Moreover, the Advisory Action does not address Applicant's previous statements with respect, for example, to the discovery of the claimed invention. According to M.P.E.P. 707.07(f), the Examiner has a duty to respond to Applicant's